

NHSLC - BUREAU OF ENFORCEMENT - AGENDA
WEDNESDAY, MAY 7, 2008

1. SUSPENSIONS:

a. Action Pending:

None

b. Licensees Suspended For Non-Payment of Fines:

None

c. Licensees Suspended For Non-Compliance of RSA 178:2 (Mandatory training within 45 calendar days of the issuance of liquor license):

None

2. LICENSEES WHO MAY BE ORDERED TO A HEARING

None

3. HEARINGS SCHEDULED FOR WEDNESDAY, MAY 7, 2008:

None

4. HEARINGS SCHEDULED:

None

5. HEARINGS WITH DATES TO BE DETERMINED:

None

6. PENDING CASES:

None

7. WARNING LETTERS/FINES:

- a. Capitol Grille, 1 Eagle Square, Concord, NH.
Restaurant Full Service With Lounge License #1050303.
Licensed under RSA 178:21, II(a)(1)/178:22, V(q).
Cited for violation of RSA 179:5, I - did sell or serve alcoholic beverage to an intoxicated person.
Date of violation: August 16, 2007.
Recommendation: Settlement reached for a \$2,000 Administrative fine with \$1,000 suspended for twelve (12) months pending no like violation, the license to sell alcohol shall be suspended for five (5) days with two (2) days held in abeyance for twelve (12) months pending no like violation commencing May 13, 2008 with re-grant on May 16, 2008, and four (4) points shall be assessed to the liquor license.

- b. Golden Bamboo Palace Restaurant, 60 Main Street, Littleton, NH.
Restaurant Full Service With Lounge License #1323403.
Licensed under RSA 178:21, II(a)(1)/178:22, V(q).
Cited for violation of RSA 179:5, I - did sell or serve alcoholic beverage to an intoxicated person.
Date of violation: March 6, 2008.
Recommendation: \$1,000 Administrative fine, four (4) points assessed to the liquor license, the license to sell alcohol suspended for three (3) days commencing May 13, 2008 with re-grant on May 16, 2008, mandatory attendance at a Management Training Seminar (MTS) within thirty (30) days of adjudication for all managers who have not attended since the date of the violation, and mandatory attendance at a Total Education in Alcohol Management (TEAM) seminar within thirty (30) days of adjudication for all servers who have not attended since the date of the violation.

8. NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL

- a. 7-11 32503B, 2305 Brown Avenue, Manchester, NH.
Combination License #3036247.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 4/17/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- b. Bastian's Market, 158 Spruce Street, Manchester, NH.
Combination License #487647.
Licensed under RSA 178:18.
Cited for violation of RSA 179:23, IV - did fail to designate a person in charge and to file the affidavit for the person in charge with the Commission.
ADMINISTRATIVE FINE \$250 PAID.
- c. Bodwell Food Mart, 1466 Bodwell Street, Manchester, NH.
Combination License #3198847.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 4/17/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- d. Durham Marketplace, 7 Mill Road, Durham, NH.
Combination License #886247.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 4/25/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- e. Eagles, 793 Main Street, Bethlehem, NH.
Social Club License #20901.
Licensed under RSA 178:22, V(h).
Cited for violation of RSA 178:22, V(h)(1) - did fail to file the February 2008 financial report.
ADMINISTRATIVE FINE \$100 PAID.
- f. Eddy Road Shell, 245 Eddy Road, Manchester, NH.
Combination License #3116847.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 4/17/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.

- g. Fagins Pub, 777 Main Street, Berlin, NH.
Restaurant Beverage and Wine License #1229303.
Licensed under RSA 178:20.
Cited for violation of RSA 179:55 - did fail to notify the Commission of a change in corporate officers.
ADMINISTRATIVE FINE \$100 PAID.
- h. Happy Star Chinese Restaurant, Bridge Street, Lancaster, NH.
Full Service Restaurant License #341903.
Licensed under RSA 178:21, II(a).
Cited for violation of RSA 179:5, I.
Compliance Check 4/18/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- i. Klemms Mobil, 1602 Elm Street, Manchester, NH.
Combination License #3181847.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 4/17/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- j. Lancaster House of Pizza, 95 Main Street, Lancaster, NH.
Restaurant Beverage and Wine License #1164803.
Licensed under RSA 178:20.
Cited for violation of RSA 179:5, I.
Compliance Check 4/18/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- k. Manchester Empire Foods, 422 Belmont Street, Manchester, NH.
Combination License #3169547.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 4/17/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- l. Munce's Konvenience, 79 Pleasant Street, Berlin, NH.
Combination License #730247.
Licensed under RSA 178:18.
Cited for violation of RSA 179:52 - did fail to post the liquor license in a conspicuous place on the premises.
ADMINISTRATIVE FINE \$250 PAID.
- m. Munce's Konvenience, 100 Bridge Street, Lancaster, NH.
Combination License #82247.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 4/18/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- n. North Country Family Restaurant, 112 Main Street, Lancaster, NH.
Restaurant Beverage and Wine License #1348903.
Licensed under RSA 178:20.
Cited for violation of RSA 179:5, I.
Compliance Check 4/18/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- o. Richdale Dairy Store, 90 Bridge Street, Manchester, NH.
Combination License #3208147.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 4/17/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.

- p. Saky's Food Mart, 218 Bremer Street, Manchester, NH.
Combination License #3133847.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 4/17/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- q. Salmon Falls Sports Bar & Grill, 480 Church Street, Rollinsford, NH.
Restaurant Beverage and Wine License #1264503.
Licensed under RSA 178:20.
Cited for violation of RSA 179:32 - did purchase beer from other than a
licensed wholesaler.
ADMINISTRATIVE FINE \$250 PAID.
- r. Scorpio's Pizzeria, 180 Main Street, Lancaster, NH.
Restaurant Full Service With Lounge License #1068203.
Licensed under RSA 178:22, V(q).
Cited for violation of RSA 179:5, I.
Compliance Check 4/18/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- s. Scorpio's Provisions, 11 Madbury Road, Durham, NH.
Combination License #3156647.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 4/25/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- t. Spring House Chinese Food, 140 Lancaster Road, Whitefield, NH.
Restaurant Full Service With Lounge License #1297303.
Licensed under RSA 178:22, V(q).
Cited for violation of RSA 179:5, I.
Compliance Check 4/18/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- u. VFW Post 3041, 259 Main Street, Lancaster, NH.
Social Club License #26539.
Licensed under RSA 178:22, V(h).
Cited for violation of RSA 179:5, I.
Compliance Check 4/18/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- v. White Buffalo Trading Post, 89 South Barnstead Road, Barnstead, NH.
Combination License #3181547.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 4/11/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- w. Wings Your Way, 13 Jenkins Court, Durham, NH.
Restaurant Beverage and Wine License #1332403.
Licensed under RSA 178:20.
Cited for violation of RSA 179:5, I.
Compliance Check 4/25/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- x. Yogi's Convenient Mart, 15 Willow Street, Manchester, NH.
Combination License #802547.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 4/17/08.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.

9. NEW LICENSES:

- a. Bedrock Restaurant Enterprises, Inc. DBA Blue Mermaid,
487 South Stark Highway, Weare, NH 03281.
Caterers Off-Site On-Premise Cocktail Lounge #1275034.
To be licensed pursuant to RSA 178:22, V(e).
Recommendation: Approval.
- b. Law II Deli of New Hampshire DBA Gandolfo's Deli,
48 Portsmouth Avenue, Exeter, NH 03833.
Restaurant On-Premise Beverage/Wine License #1357803.
To be licensed pursuant to RSA 178:20.
Recommendation: Approval.
- c. Old Fire Barn Restaurant LLC DBA Old Fire Barn Restaurant,
28 Collins Street, Seabrook, NH 03874.
Restaurant On-Premise Cocktail Lounge License #1356603.
To be licensed pursuant to RSA 178:22, V(q).
Recommendation: Approval.

10. REQUESTS FOR SOLICITORS/REPRESENTATIVE AND DIRECT SHIPPER APPLICATION

- a. Brotherhood America's Oldest Winery DBA Vinecrest Co.,
100 Brotherhood Plaza Drive, Washingtonville, NY 10992.
Direct Shipper Permit Application - RSA 178:27.
Recommendation: Approval.
- b. Fetzner Vineyards,
12625 Old River Road, Hopland, CA 95449.
Direct Shipper Permit Application - RSA 178:27.
Recommendation: Approval.
- c. Flying Dog Brewery LLLP DBA Flying Dog Brewery,
2401 Blake Street, Denver, CO 80205.
To be issued Beverage Vendor Permit #43631 pursuant to RSA 178:15.
Recommendation: Approval.
- d. Jacuzzi Family Vineyards,
24724 Arnold Drive, Sonoma, CA 95476.
Direct Shipper Permit Application - RSA 178:27.
Recommendation: Approval.
- e. Keller Estate Ltd. DBA Keller Estate,
5875 Lakeville Highway, Petaluma, CA 94954.
Direct Shipper Permit Application - RSA 178:27.
Recommendation: Approval.
- f. New Day Meadery LLC DBA New Day Meadery,
701 S. Anderson Street, Elwood, IN 46036.
Direct Shipper Permit Application - RSA 178:27.
Recommendation: Approval.
- g. Salinia Wine Co. LLC DBA Salinia,
3350D Coffey Lane, Santa Rosa, CA 95403.
Direct Shipper Permit Application - RSA 178:27.
Recommendation: Approval.
- h. Sonoma-Cutrer Vineyards, Inc. DBA Sonoma-Cutrer Vineyards,
4401 Slusser Road, Windsor, CA 95492.
Direct Shipper Permit Application - RSA 178:27.
Recommendation: Approval.

11. LICENSEE PETITIONS FOR COMMISSION APPROVAL:

- a. Countryside G. C. LLC DBA Countryside Golf Club,
20 Country Club Lane, Dunbarton, NH 03046.
Sports Recreation Facility On-Premise Cocktail Lounge License #6010905.
Licensed pursuant to RSA 178:22, V(v).
Requests approval to use a Mobile Cart, to wit, a mobile cart to be used on
the fairways for sales and service of alcohol pursuant to Liq. 206.10
(a)(1), Liq. 404.05 (a)(1) and Liq. 509.
Recommendation: Approval.
- b. Countryside G. C. LLC DBA Countryside Golf Club,
20 Country Club Lane, Dunbarton, NH 03046.
Sports Recreation Facility On-Premise Cocktail Lounge License #6010905.
Licensed pursuant to RSA 178:22, V(v).
Requests approval for an outside area, to wit, a deck area next to the
lounge area appropriately sanctioned off pursuant to RSA 178:24 and
Liq. 404.05.
Recommendation: Approval.
- c. Damon, Walter E. DBA Sandy Point Restaurant,
186 Mount Major Highway, Alton, NH 03810.
Restaurant On-Premise Cocktail Lounge License #275303.
Licensed pursuant to RSA 178:22, V(q).
Requests a waiver of RSA 178:21 II, (a)(2) for Authorization of reduction of
hours, to wit, to reduce the hours of operation to less than five (5) days a
week as listed in a letter dated May 1, 2008.
Recommendation: Approval.
- d. Dartmouth College DBA Colonel Bogey's,
6101 Hopkin Center, Hanover, NH 03755.
Sports Recreation Facility On-Premise Cocktail Lounge License #6005105.
Licensed pursuant to RSA 178:22, V(v).
Requests approval to use a Mobile Cart, to wit, a mobile cart to be used on
the fairways for sales and service of alcohol pursuant to Liq. 206.10
(a)(1), Liq. 404.05 (a)(1) and Liq. 509.
Recommendation: Approval.
- e. Delangis Boyce Corp. DBA The Inn on Newfound Lake,
1030 Mayhew Turnpike, Route 3A, Bridgewater, NH 03222.
Hotel On-Premise Cocktail Lounge License #219502.
Licensed pursuant to RSA 178:22. V(k).
Requests approval for outside areas, to wit, a living room, porch/deck area,
barn function hall and a seasonal tented area on the side lawn all
appropriately sanctioned off pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
- f. DJC Restaurant Management LLC DBA Dockside Restaurant,
6 Eastside Drive, Alton, NH 03809.
Restaurant On-Premise Beverage/Wine/Liquor License #1308703.
Licensed pursuant to RSA 178:21.
Requests a waiver of RSA 178:21 II, (a) (2) for Authorization of reduction
of hours, to wit, to reduce the hours of operation to less than five (5)
days a week as listed in a letter dated May 1, 2008.
Recommendation: Approval.
- g. Home Hill Country Inn LLC DBA Home Hill Country Inn,
703 River Road, Plainfield, NH 03781.
Hotel On-Premise Cocktail Lounge License #365502.
Licensed pursuant to RSA 178:22, V(k).
Requests approval for outside areas, to wit, the front and back patio areas
appropriately sanctioned off pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.

- h. Keith Murphy's Taproom LLC,
494 Elm Street, Manchester, NH 03103.
Restaurant On-Premise Cocktail Lounge License #1333403.
Licensed pursuant to RSA 178:22, V(q).
Requests approval for another area, to wit, an additional lounge area, newly renovated, pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
- i. Kerrigan's Fuel & Conv LLC DBA Jakes Market & Deli,
1281 NH Route 11, Georges Mills, NH 03751.
Combination On-Premise Beverage/Wine License #3214447.
Licensed pursuant to RSA 178:18.
Requests approval to keep invoices at another location, to wit, requests to keep invoices and delivery slips at 227 Mechanic Street, Lebanon, NH pursuant to RSA 179:35.
Recommendation: Approval.
- j. LDLJ Guest Services, Inc.
DBA The New England Inn/Tuckerman Inn and Tavern,
336 Route NH 16A, Bartlett, NH 03812.
Hotel On-Premise Cocktail Lounge License #365402.
Licensed Pursuant to RSA 178:22V (k)
Requests approval for an outside area, to wit, a patio area appropriately sanctioned off pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
- k. Makris Lobster & Steak House,
354 Sheep Davis Road, Concord, NH 03301.
Restaurant On-Premise Cocktail Lounge License #479503.
Licensed pursuant to RSA 178:22, V(q).
Requests approval for outside area, to wit, a 20' x 40' tent adjacent to the back patio appropriately sanctioned off from May 1 to October 31, 2008 with entertainment Wednesday through Sunday pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
- l. Meeting House Pizza LLC DBA Nonni's Italian Eatery,
17 West Main Street, Hillsboro, NH 03244.
Restaurant On-Premise Beverage/Wine/Liquor License #1357703.
Licensed pursuant to RSA 178:21.
Requests approval for outside area, to wit, an outside patio with seating for 24 patrons appropriately sanctioned off pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
- m. Pasta Loft Restaurant, Inc. DBA Pasta Loft Restaurant,
241 Union Square, Milford, NH 03055.
Restaurant On-Premise Cocktail Lounge License #1053803 and #1246103.
Licensed pursuant to RSA 178:22, V(q).
Requests approval to keep invoices at other location, to wit, requests to keep invoices and delivery slips from 241 Union Square, Milford, NH (license #1053803) and the 220 East Main Street, East Hampstead NH (license #1246103) locations at a home office located at 9 Quinlan Lane, Hampton, NH 03842 pursuant to RSA 179:35.
Recommendation: Approval.
- n. Pine Cone Café LLC DBA Pine View Lodge,
427 Governor Wentworth Highway, Tuftonboro, NH 03850.
Restaurant On-Premise Cocktail Lounge License #1309203.
Licensed pursuant to RSA 178:22, V(q).
Requests approval for other area, to wit, in the extended dining room of the restaurant with seating for 25 patrons pursuant to RSA 178:24 and Liq. 404.05.

- Recommendation: Approval.
- o. R and H Gas & Convenience LLC,
546 First Street NH Turnpike, Northwood, NH 03261.
Combination On-Premise Beverage/Wine License #3210547,
Licensed pursuant to RSA 178:18.
Requests approval to Lease part of the premise, to wit, a portion of the
licensed building to Northwood Dunkin Donuts pursuant to RSA 179:48.
Recommendation: Approval.
- p. PTS Food Enterprises LLC DBA Milly's Tavern,
500 Commercial Street, Manchester, NH 03101.
Brew Pub On-Premise Cocktail Lounge License #2001715.
Licensed pursuant to RSA 178:13.
Requests approval for outside areas, to wit, the parking lot area
appropriately sanctioned off on May 25, 2008 from 11am to 11pm pursuant to
RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
- q. Zophella Corp. DBA Theo's Restaurant & Lounge,
102 Elm Street, Manchester, NH 03101.
Restaurant On-Premise Cocktail Lounge License #1349303.
Licensed pursuant to RSA 178:22, V(q).
Requests approval for outside areas, to wit, an outside patio with seating
for 50 patrons appropriately sanctioned off pursuant to RSA 178:24 and
Liq. 404.05.
Recommendation: Approval.

12. COMMISSION DECISIONS PENDING:

- a. Henniker Junction Restaurant, 24 Weare Road, Henniker, NH.
Restaurant Full Service With Lounge License #167803.
Licensed under RSA 178:21, II(a)(1)/178:22, V(q).
Cited for violation of RSA 179:50, II - did allow the premise to be used for
any purpose that was contrary to law.
Date of violation: February 7, 2008.
Hearing date: April 23, 2008.
- b. MacDaddy's Place LLC,
35A Lowell Road, Hudson, NH 03051.
Restaurant On-Premise Beer/Wine/Liquor License #1274603.
Licensed pursuant to RSA 178:21.
Recommendation: DENIAL OF LICENSE RENEWAL.
THIS ITEM WAS TAKEN UNDER ADVISEMENT AT THE ENFORCEMENT AGENDA MEETING OF
DECEMBER 5, 2007.
Hearing date: March 13, 2008.

13. COMMISSION DECISIONS AFTER HEARING

14. MISCELLANEOUS ITEMS:

- a. Dawn M. Young,
Kesad Food Services Corporation,
6 Willow Street, Manchester, NH 03103.
Restaurant On-Premise Cocktail Lounge License #1259803.
Licensed pursuant to RSA 178:22, V(q).
Requests approval for a Felon Exception as a Person In Charge pursuant to
RSA 179:23 and Liq. 404.06 (c); Ms. Young meets all statutory and
administrative requirements for a waiver as an employee.
Recommendation: Approval.

- b. Jordan L. Belyea,
King's Corner Café LLC DBA King's Corner Café,
264 Main Street, Unit 3, Lincoln, NH 03251.
Restaurant On-Premise Beverage/Wine License #1357603.
Licensed pursuant to RSA 178:20.
Requests approval for a Felon Exception as a Person In Charge pursuant to
RSA 179:23 and Liq. 404.06 (c); Mr. Belyea does meet all statutory and
administrative requirements for a waiver as an employee.
Recommendation: Approval.

- c. Laconia Rod & Gun Club,
358 South Main Street, Laconia, NH 03246.
Social Club On-Premise Cocktail Lounge License #22201.
Licensed pursuant to RSA 178:22, V(h).
Requests to modify the Order on Case #03-578-OF, to wit, to modify the Order
and requirements imposed by the Commission requiring the Licensee to have
liquor liability insurance.
Recommendation: **DISCUSSION.**
COMMISSION TABLED THIS ITEM AT THE 3/26/08 ENFORCEMENT AGENDA MEETING.

- d. Winnepesaukee Flagship d/b/a M/S Mount Washington,
211 Lakeside Avenue, Laconia, NH.
Vessel - Lounge License #320313.
Licensed under RSA 178:22, V(s).
Cited for violation of RSA 179:5, I - did sell or serve alcoholic beverage
to an intoxicated person.
Date of violation: October 28, 2006.
Recommendation: That a fifteen (15) day suspension of liquor license with
eight (8) days held in abeyance for twelve (12) months pending no like
violation as adjudicated by the Commission on March 12, 2008 to commence on
October 20, 2008 be moved to June 16, 2008 with re-grant on June 23, 2008.

LICENSE RENEWAL:

- e. Golden Bamboo Palace Restaurant, 60 Main Street, Littleton, NH.
Restaurant Full Service With Lounge License #1323403.
Licensed under RSA 178:21, II(a)(1)/178:22, V(q).
LICENSE RENEWED MAY 1, 2008 WITH SPECIAL TERMS AND CONDITIONS: Alcohol may
be consumed between the hours of 6 a.m. and 12:30 a.m., Monday through
Sunday, last call occurring no later than 12:00 a.m.; by 12:30 a.m., all
drinks must be removed from all areas including but not limited to tables
and the bar area and from all patrons effective for the period of sixty (60)
days; at the end of this period, an evaluation conducted by the local police
chief and the Liquor Investigator assigned to the Licensee will take place
to determine whether restriction(s) should remain in place, be amended, or
be removed; the Licensee shall immediately report all instances of
disorderly conduct, violent behavior, and/or liquor license infractions to
the local police department and to the Liquor Investigator assigned to the
Licensee; and violation of any of the above terms will result in the
Licensee being called to a hearing before the NH State Liquor Commission.

15. EXECUTIVE SESSION ITEMS: